

FINANCE (REGULATIONS) DEPARTMENT

The 22nd August, 1978

No. 6/1(4)/78/FR-I.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following Rules further to amend the Punjab Civil Services Rules, Volume I, Part I, in its application to the State of Haryana, namely:—

1. These rules may be called the Punjab Civil Services Rules, Volume I, Part I (Haryana First Amendment) Rules, 1978.

2. In the Punjab Civil Services Rules, Volume I, Part I—

(1) for the words 'Government Servant(s)' wherever these occur, the words 'Government employee(s)' shall be substituted;

(2) unless there is something repugnant in the subject or context, the word Punjab wherever it occurs with reference to the Legislative Assembly, State Public Service Commission, any department service or organisation, Government, Governor, Accountant-General or any Office or officer of the State shall be substituted by the word 'Haryana';

(3) in rule 1.2,—

(i) for note 2, the following note shall be substituted, namely;—

“Note 2.—The Speaker of the Legislative Assembly has agreed under Article 187(3) of the Constitution that until a law is made by the Legislature of the State under article 187(2) of the Constitution or rules are framed by the Governor in consultation with the Speaker of the Legislative Assembly under clause (3) of Article 187 of the Constitution of India, these rules and amendments thereto if any (after prior consent of the Speaker), shall apply to the Secretarial Staff of the Haryana Legislative Assembly.”;

(ii) Note 3 shall be omitted;

(4) in rule 2.3—

(a) for clause (i), the following clause shall be substituted and shall be deemed to have been substituted with effect from 22nd April, 1964, namely:—

“(i) Leave of all kinds except extraordinary leave not counting towards increment under rule 4.9 (b)(ii)”;

(b) note shall be omitted;

(5) rule 2.8 shall be omitted;

(6) rule 2.12 shall be omitted;

(7) in rule 2.14, in the note the figures and signs “8.82, 8.83” shall be omitted;

(8) in rule 2.17,

(i) for the figures, signs and words “2.59, 2.82, 2.83, 2.86 and 2.87 of the Punjab Civil Services Rules, Volume III (Travelling Allowance Rules) Reprint, 1958”, the figures, signs and words “2.59” “2.85, and 2.86 of the Punjab Civil Services Rules, Volume III (Travelling Allowance Rules) Second Edition, 1966” shall be substituted and semicolon appearing after the word ‘sisters’ shall be omitted;

(ii) in note 3 for the words “widow daughter”, the words ‘Widowed daughter’ shall be substituted;

(9) in rule 2.25, for clause (2), the following clause shall be substituted and shall be deemed to have been substituted with effect from 1st April, 1974 namely:—

“(2) Commissioners of Divisions are Heads of Departments with respect to Government employees whose pay is charged to the minor heads ‘Commissioners’, ‘District Establishment’ and ‘Other Establishment’;

(10) for rule 2.26, the following rule shall be substituted namely, :—

“2.26 Heads of Offices means the authorities designated as Disbursing Officers or any other Government servant declared to be the Head of an office by competent authority”.

(11) in rule 2.29, for the note, the following note shall be substituted, namely:—

Note.—This term does not include 'local holiday' which may be granted at the discretion of the Head of the Office";

(12) in rule 2.31, for the figure '40' the figure '105' shall be substituted and shall be deemed to have been substituted with effect from 1st February, 1969;

(13) rule 2.33 shall be omitted;

(14) rule 2.37 shall be omitted ;

(15) for rule 2.39, the following rule shall be substituted, namely :—

"2.39. Military Officer means any officer falling within the definition of Military Commissioned Officer and a Warrant Officer" ;

(16) in rule 2.41, in the example in the ninth line for the words 'leave for two months' the words 'a period of the two months' shall be substituted;

(17) note below rule 2.42 shall be omitted and deemed to have been omitted with effect from 5th February, 1969 ;

(18) in rule 2.44, second paragraph of clause (b) shall be omitted ;

(19) note 2 below rule 2.52 shall be omitted ;

(20) in rule 2.56, for the figure '40' wherever it occurs the figure '105' shall be substituted and shall be deemed to have been substituted with effect from 1st February, 1969;

(21) in rule 2.61, second paragraph shall be omitted ;

(22) in rule 3.4 :—

(i) in the notes for the word 'orders' wherever it occurs the word "provisions" shall be substituted ;

(23) in rule 3.7,—

(i) for the words "is extended to, " the words "in the following cases shall be" shall be substituted;

(24) in rule 3.8,—

(a) in exception 3, the words and commas "and the Director, Irrigation Research Institute, Punjab" shall be omitted and the word 'are' shall be replaced by the word 'is';

(b) in the table below exception 3 under the column headed "Remarks", the figure '25' shall be substituted by the figure '27' and shall be deemed to have been substituted with effect from 29th September, 1973.

(c) in exception 4, the words and signs "Director, Irrigation Research, Punjab, Superintendent, Government Central Workshop, Amritsar" shall be omitted;

(25) rule 3.20 and note there under shall be omitted ;

(26) in serial No 9 of the annexure at the end of chapter III, for the "XXIII—Medical—I—Misc.—Fees for Medical Examination", "080—Medical—Other Receipts—Fees for Medical Examination" shall be substituted and shall be deemed to have been substituted w.e.f. 1st April, 1974;

(27) in rule 4.1, in sub-rule (2), for note I, the following note shall be substituted, namely:—

"*Note 1.*—Special pay of ten rupees per mensem may be drawn by a Munshi in the Irrigation Branch of the Public Works Department when he is appointed to the post of Ahlmad";

(28) in rule 4.3—

(a) in explanation I, in clause (iii) in sub-clause (b) for the word 'training' occurring at the end the words 'Civil posts' shall be substituted ;

(b) for the note, the following note shall be substituted, namely :—

“Note:—The expression ‘Pay’ occurring in this rule should be held to include special pay, if any, which the Government employee drew in the post which he held substantively or in officiating capacity.”

(29) in rule 4.5,—

Notes 1 to 3 shall be omitted;

(30) in rule 4.5-A,—

in sub-rule (3), in clause (b), for the word and figures “4.4, or 4.4(c) or 4.14, as the case may be, of these rules” the words and figures “4.4 or 4.14, as the case may be, of these Rules” shall be substituted ;

(31) in rule 4.6,—

(a) note 1 shall be omitted ;

(b) in note 4, para 2 shall be omitted ;

(32) in rule 4.9,—

(a) in sub-rule (a) in note 3 for the words, figures and brackets and letters “rules 8.75(b) and 8.121(b)”, the words, figures brackets and letters, “rule 8.121 (2) (a)” shall be substituted ;

(b) in sub-rule (b),—

(i) in note 1, the words ‘in that grade’ shall be omitted ;

(ii) in note 5, for the exception the following exception shall be substituted, namely :—

“Exception.—The above certificate in respect of all the employees of the Haryana Vidhan Sabha should be issued by its Secretary and in respect of the Secretary the certificate should be issued by the Speaker of the Haryana Vidhan Sabha”.

(c) in sub-rule (c),—

in note 2 for the words and figure “leave on average pay for four months or earned leave up to a maximum of 120 days taken at a time”, the words “leave except extraordinary leave taken otherwise than on medical certificate” shall be substituted and shall be deemed to have been substituted w.e.f. 22-4-64 ;

(33) in rule 4.12, in note 3, for clause (c) the following clause shall be substituted, namely :—

“(c) In order to ensure that every order passed by a competent authority imposing on a Government employee the penalty of reduction to a lower stage in a time scale is definite and clear, such an order should be worded as in the form given below :—

It is, therefore, ordered that the pay of Shri _____ be reduced by _____ stages from Rs _____ to Rs _____ in the time scale of pay for a period of _____ years/months w.e.f. _____.

It is further directed that Shri _____, will/will not earn increments of pay during the period of reduction and that on the expiry of this period, the reduction will not have the effect of postponing his future increments of pay”;

(34) in rule 4.12-A, in the note for the scales, ‘Rs 625—1,275’, ‘Rs 375—925’ and ‘Rs 250—’ wherever they occur the scales ‘Rs 700—1,250’, ‘Rs 400—1,100’ and ‘Rs 350—900’ respectively shall be substituted and shall be deemed to have been substituted w.e.f. 1-2-1969 ;

(35) in rule 4.13, in note 4,—

(a) in clause (i), for sub-clause (5), the following sub-clause shall be substituted, namely :—

“(5) In the event of one or more of the three bars mentioned above being applicable to the Government employee immediately below the Government employee outside his regular line, a more junior Government employee should have received officiating promotion and the Government employee, if any, in between should have been passed over for one of these reasons.”;

- (b) under the heading "Orders of the Punjab Government", in paragraph (i), the words, figure and sign "by virtue of declaration in terms of exception below rule 4-13"; shall be omitted ;
- (36) in rule 4-14, in note 3 for the words, figures and signs "either under rule 4-9 (bb) or 4-9(b) as revised from 22nd June, 1959 (*vide* correction slip No. 66, dated 14th July, 1959)" the following shall be substituted, namely "under rule 4-9(b)";
- (37) in rule 4-15, note 2 shall be omitted ;
- (38) in rule 4-18, for the sign ",", occurring between the words "increased and shall" the word "and" shall be substituted ;
- (39) in rule 4-21,—
- (a) in note 1, for the figure "4-20", the figure "4-21" shall be substituted ;
- (b) note 2 shall be omitted ;
- (c) in note 3 in clause (2) for the words "involved decided" the words "involve" shall be substituted ;
- (40) in rule 5-3,—
- (a) in sub-rule (a), in note the words "the Old Leave Rules or" shall be omitted ;
- (b) in sub-rule (b), in note 3, the words "of that rule" shall be omitted ;
- (41) in rule 5-4, in note 4, for the figure "2-16" the figure "2-13" shall be substituted ;
- (42) in rule 5-8, in note 2,—
- "The words, the provisions of this rule do not apply to Government servants in receipt of the compensatory local allowance sanctioned for Amritsar in whose case the provisions of clause (b) of the rule will be applicable" shall be omitted and for the word 'similar' the word "local" shall be substituted ;
- (43) rule 5-12 shall be omitted ;
- (44) in rule 5-22, in note 2 between the words "already and supplied" the word "been" shall be inserted ;
- (45) rule 5-32 shall be omitted ;
- (46) in rule 5-33, note 4 shall be omitted ;
- (47) in rule 5-35, in note 1, clause (d) shall be omitted ;
- (48) rule 5-37 shall be omitted ;
- (49) in rule 5-42,—
- (a) in clause (i) for the word 'public' the word "Police" shall be substituted ;
- (b) Serial No. 5 of the statement along with entries thereagainst shall be omitted ;
- (50) in rule 5-43, in clause C for the word 'large' the word "larger" shall be substituted ;
- (51) in rule 5-46 in the note for the word "will" the word "with" shall be substituted ;
- (52) in rule 5-48 for clause (b), the following clause shall be substituted, namely :—
- "(b) otherwise, it is for twelve months at a time but terminates on his transfer from the place where he is stationed";
- (53) in rule 5-49, for the word "or" occurring after the word "tenure" the word "of" shall be substituted ;
- (54) in rule 5-50, in clause (h), for the word "of" occurring after the word "Quarter" the word "or" shall be substituted ;

- (55) in rule 5·51 in clause (a) for "5·48 (i) (a)" "5·48 (a)" shall be substituted ;
- (56) in the proviso to rule 5·53, for the sign " , " after the word fact, the word "that" shall be substituted ;
- (57) in rule 5·57,—(a) for the words "service or a private persons" the word "service for a private person" shall be substituted ;
- (b) in note 3,—

(i) for first paragraph the following para shall be substituted, namely :—

"Government employees of the Education, Agriculture, Animal Husbandry, Fisheries and Health Department are authorised to undertake work of examining and setting papers in respect of University and other examinations and to accept remuneration therefor ;

Provided the total sum of so drawn by an individual does not exceed in the case of Agriculture, Animal Husbandry and Fisheries Departments Examinations Rs. 500 and in the case of the Education and Health Department Examinations Rs. 1,000 in a financial year."

(ii) in the second para the words and brackets and Animal Husbandry including (Fisheries) the words and figures "Animal Husbandry and Fisheries" shall be substituted and for the words "The officials besides teaching work, "doing research work the words "The official doing Research work besides teaching work shall be substituted ;

(58) in rule 5·58,—

(a) in notes 4 and 6 for the words and brackets "and Animal Husbandry (including Fisheries)" the words and signs "Animal Husbandry and Fisheries" shall be substituted ; and the words "and the Punjab Engineering College" shall be omitted ;

(b) in note 7 for the word "concession" the words "Connection" shall be substituted ;

(59) in rule 5·63—

(i) for clause (c) the following clause shall be substituted, namely :—

"(c) any reward payable in accordance with the provisions of any Act or rules or regulations framed thereunder ;"

(60) in rule 6·2,

(i) in the proviso to sub-rule (i), the words "average pay or" shall be omitted ;

(ii) in sub-rule (2) the word "the" appearing after the word "of" shall be omitted ;

(iii) item No. 2 after sub-rule (3) shall be omitted ;

(iv) note 2 shall be omitted ;

(61) in rule 7·2,—

(a) in sub-clause (a) of clause (ii) of sub-rule (1) the words "on half average pay or" shall be omitted ;

(b) in note 1 for the word "Contingencies" the words "Materials and Supplies" shall be substituted ;

(c) for note 2, the following note shall be substituted, namely :—

Note 2.—The initial grant of subsistence allowance payable at an amount equal to leave salary on half pay shall be subject to the maximum limit prescribed in rule 8·122 (2). in the event of an increase or decrease in the subsistence allowance after the first six months of suspension, under the proviso to sub-rule (1) (ii) (a) of this rule however, the increase or decrease shall be calculated on the amount of subsistence allowance initially fixed and will not be subject to any maximum limit";

(62) in rule 7·3,—

(a) in the first proviso to sub-rule (3), for the word clause, wherever occurring, the word "sub-rule" shall be substituted ;

- (b) in note 2 for the word, figure, brackets and letter "sub-clause 1(b)", the words, figure, brackets and letter "clause (b) of sub-rule (1)" shall be substituted ;
- (c) in note 8 the word and figure "Part-I" shall be omitted ;
- (63) for rule 8.5 the following rule shall be substituted, namely :—
- "8.5. A Government employee on foreign service in India should submit all applications for leave, other than earned leave, with the report of the Accountant-General, through his employer, to the authority competent to sanction the leave" ;
- (64) in rule 8.8 for the words "Principal Medical Officer" wherever they occur, the words "Chief Medical Officer" shall be substituted ;
- (65) Note below rule 8.18 shall be omitted ;
- (66) in rule 8.21—
- (i) for clauses (a) and (b) the following clauses shall be substituted ; namely :—

"(a) Leave at the credit of a Government employee in his leave account shall lapse on the date of compulsory retirement :

Provided that if in sufficient time before that date he has—

- (1) formally applied for leave due as preparatory to retirement and the same has been refused ; or
- (2) ascertained in writing from the sanctioning authority that such leave if applied for would not be granted,

in either case the ground of refusal being the requirements of the public service, then the Government employee may be granted, after the date of compulsory retirement, the amount of earned leave so refused subject to a maximum of 120 days.

(b) A Government employee retained in service after the date of compulsory retirement shall earn earned leave, at the rate of 1/12th of the duty performed after that date and shall be allowed to add thereto any amount of leave which could have been granted to him under clause (a), had he retired on that date. The total period of leave which he may take on each occasion shall not exceed 180 days earned leave. When his duties finally cease, the Government employee may be granted leave preparatory to retirement up to a maximum of 180 days or earned leave, as the case may be, as follows :—

- (i) The balance after deducting the amount of leave, if any, taken during the period of extension, from the amount of leave which could have been granted to him under clause (a) had he retired on the date of compulsory retirement, plus
- (ii) The amount of leave earned under this clause which is due to the Government employee and which has, in sufficient time during the period of extension,
 - (1) formally applied for as preparatory to final cessation of his duties and has been refused, or
 - (2) ascertained in writing from the sanctioning authority that such leave would not be granted if applied for, in either case the ground of refusal being the requirements of public service.

The leave taken during the period of extension should be debited first against the credit of leave earned during that period, until it is exhausted ; and then against any credit of leave refused under clause (a) and carried forward under clause (b) ;

- (iii) in note 4, for the figures and word "6 months" the figure and word "180 days" shall be substituted ;
- (iv) In note 6 for the words and figures "rules 8.74 (a) and 8.117", the word and figures "rule 8.177" shall be substituted ;
- (v) in note 7,—
- (a) in clause (b) of sub-para (1) the words 'to be' shall be inserted between the words 'required' and 'on'.

(b) in para (2) the word "rare" shall be inserted between the words "very" and "privilege" ;

(v) in note 8 for the words "six months" the figure and word "180 days" shall be substituted ;

(vi) in note 9 the word "average" appearing twice shall be omitted ;

(vii) for note 11 the following note shall be substituted ; namely :—

Note 11.—The Government employee who is granted refused leave under rule 8.21, extending beyond the date of compulsory retirement or the expiry of extension of service shall be deemed, for purposes of pensionary benefit, to have retired from service on the date of his compulsory retirement or on the expiry of the extension of service, as the case may be, and shall become eligible for all pensionary benefits from such date. The leave salary admissible in such cases during the period of refused leave will be the same as admissible in the normal course but reduced by the amount of pension and pension cum-retirement gratuity, by which the leave salary is required to be reduced, should be based on the full admissible amount of such gratuity and not on the amount of gratuity reduced as a result of the provision contained in paragraph 5 of the Family Pension Scheme, 1964, as reproduced in Appendix I of Volume II of these rules ;

(viii) for note 12 the following note shall be substituted ; namely :—

"Note 12.—A Government employee who was due to retire on superannuation pension on 16th September, applied for earned leave for 120 days from 10th February which was refused by Government in the exigencies of public service. He again applied for ninety-eight days earned leave from 10th June, which was again refused by Government in the exigencies of public service except 15 days. The employee again applied for leave from 16th September. The employee can be granted after the age of superannuation only the leave preparatory to retirement that was refused, viz., 98 days less 15 days availed of by him 120 days earned leave applied for by him was not preparatory to retirement and hence its refusal by Government in the interest of public service does not entitle him to the protection of rule 8.21 after the date of superannuation."

(67) in rule 8.23 the figures and signs "8.82, 8.33" shall be omitted and for the words and figures "rules 8.85, 8.126 and three months" the words and figures "rule 8.126" and "six months" shall be substituted ;

(68) note below rule 8.25 shall be omitted ;

(69) in rule 8.28 in note 2 for the words

"not been going

returning to duty before holiday" the words

"not gone on leave

— before holiday" shall be

returned to duty.

substituted ;

(70) in rule 8.29,—

(a) the sign, figures, letter and bracket "8.74(c)" shall be omitted ;

(b) in the note the words "leave on average pay or" shall be omitted ;

(71) in rule 8.32 in the proviso,—

(a) in clause (ii) the words "leave on average pay or" shall be omitted ;

(b) clauses (iii) and (iv) shall be omitted ;

(72) in rule 8.33 the words "or joining time" shall be omitted ;

(73) in rule 8.41 A,—

(a) in clause (I) between the word "preparatory" and "retirement" the word "to" shall be inserted ;

(b) in clause (2),—

in clause (ii) the word "average" shall be omitted ;

- (c) in note 2 the word "average" shall be omitted ;
- (74) in rule 8-42,—
- (a) in clause (a), in sub-clause (iii) the words "to be paid leave salary" shall be omitted ;
- (b) for note 4 the following note shall be substituted ; namely :—
- "Note 4.—Vacation should be treated as leave for the purpose of clause (a) (i) of this rule only upto the extent to which it operates to reduce the amount of earned leave and/or commuted leave by virtue of the provisions of rule 8-117."
- (75) in rule 8-47 for the words "half average pay or half pay as the case may be" the words "half pay" shall be substituted ;
- (76) in rule 8-48, for sub-rule (a), the following sub-rule shall be substituted, namely :—
- "(a) Subject to any instructions given by the competent authority in connection with the control of the issue of money from Treasuries or by the Comptroller and Auditor-General of India in order to secure efficiency and uniformity of audit, the rules hereinafter appearing shall be observed in India in respect of the payment of leave salary and the maintenance of record of service." ;
- (77) for rule 8-49 the following rule shall be substituted ; namely :—
- "8-49.—Unless the competent authority by general or special order otherwise directs, leave salary shall be drawn in rupees in India".
- (78) for rule 8-50 the following rule shall be substituted ; namely :—
- "8-50.—The leave account of Government employees shall be maintained in form A.T.C. 2-A (see Appendix 11 to these rules) upto 30th June, 1959 and in form C.S.R. No. 16 with effect from 1st July, 1959".
- (79) for note 2 below rule 8-50 the following note shall be substituted ; namely :—
- "Note 2.—The leave account of Government Employees under the Special Leave Rules and Ordinary Leave Rules shall be maintained in form A.T.C. I and A.T.C. II, respectively for the period upto 30th June, 1959 and thereafter in form Punjab C.S.R. No. 14 and 15 respectively" ;
- (80) for rule 8-51, the following rule shall be substituted ; namely :—
- "8-51.—The leave account of Government employees shall be maintained by the Head of office in which he is employed" ;
- (81) in rule 8-52,—
- (i) the words, figures and sign "mentioned in Rule 8-54, those" shall be omitted ;
- (ii) categories (1) and (2) shall be omitted ;
- (82) for rule 8-53, the following rule shall be substituted, namely :—
- "8-53.—Leave rules relating to category (3) in rule 8-52 are contained in section III of this Chapter." ;
- (83) for rule 8-55, the following rule shall be substituted, namely :—
- "8-55.—The rules contained in this Section shall not be applicable to Government employees paid from Defence Estimates who are temporarily transferred to service paid from Civil Estimates (including service in a tenure post). Such Government employees remain subject to the rules which applied to them before their transfer" ;
- (84) for note below rule 8-57, the following note shall be substituted, namely :—
- "Note.—Model Leave Terms for Government employees engaged on contract are given in Appendix 16" ;
- (85) Section II in Chapter VIII shall be omitted ;

(86) for rule 8·115A, the following rule shall be substituted, namely :—

“8·115-A, Government employee who entered Government service on or after the 1st January, 1931 and transferred to a service or post to which the rules in Part-A of this section apply, from a service or post to which they do not apply remains under the leave rules to which he was subject prior to his transfer ;

Provided that it shall be open to him at the time of the transfer or any time thereafter to exercise the option of coming under the rules in Part -A of this section, subject to the condition that all leave at his credit on the date on which he comes under these rules shall lapse. The intention of exercising this option must be specifically declared to the Government, and the date of such declaration shall be the date of coming under these rules. The option once exercised is final.

“Note.—This rule provides for lapsing of only the leave at the credit of a Government employees on the date of option, and any debit balance in his leave account, as a result of his having been granted leave not due under the rules obtaining before the option was exercised, should not be wiped out ”;

(87) in rule 8·116, the following note shall be inserted at the end, namely :—

“Note.—Extracts from leave rules applicable prior to 1st July, 1959 are given in Appendix 11”;

(88) in rule 8·117, the following note shall be added at the end, namely :—

“Note.—See paragraph 3 of Annexure I referred to in rule 8·59 of these Rules” ;

(89) in rule 8·119,—

(i) in sub-rule (c) note I shall be omitted ;

(ii) in sub-rule (d),—

(a) in note 2 for the figures “180” the figures “360” shall be substituted ;

(b) in note 4 between the words day and it is, the word “if” shall be inserted ;

(c) in note 5 for the last paragraph the following paragraph shall be substituted, namely :—

“The total earned leave thus accumulated may be taken at any one time”.

(90) in rule 8·121,—

(a) for note 1 and 2 the following note shall be substituted, namely :—

“Note. 1.—The power of cummuting retrospectively periods of absence without leave into extraordinary leave under sub-caluse (a) of sub-rule (2) is absolute and not subject to the conditions mentioned in sub-rule (1) ; in other words, such commutation is permissible even when other leave was admissible to the Government employee concerned at the time his absence without leave was commenced. This concession cannot, however, be claimed by the government employee as a matter of right.”

(91)(b) in note 3 the words “in respect of extraordinary leave taken on medical certificate” shall be omitted ;

(92) for rule 8·124 the following rule shall be substituted, namely :—

“8·124(1) Subject to the conditions hereinafter specified, a competent authority may grant special disability leave to a Government employee who is disabled by injury intentionally inflicted or caused in, or in consequence of the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted [with due promptitude in bringing it to the notice of the competent authority. If the competent authority is satisfied as to the cause of disability, it may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

- (3) The period of leave granted shall be such as is certified by the Authorised Medical Attendant of the Government employee concerned to be necessary. It shall not be extended except on the certificate of that authority, and shall in no case exceed 730 days.
- (4) Such leave may be combined with leave of any other kind.
- (5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 730 days of such leave shall be granted in consequence of any one disability.
- (6) Such leave shall be counted as duty in calculating service for pension, but half the amount of such leave taken under sub-clause (b) of clause (7) below shall be debited against the leave account.
- (7) Leave salary during such leave including a period of such leave granted under clause (5) shall,—
 - (a) in cases of Government employees of class I, II or III, for the first 120 days of any period of such leave, be equal to leave salary as admissible on earned leave ;
 - (b) in cases of Government employees of Class IV, for the first 60 days during first ten years of service, 90 days during the next ten years of service and 120 days thereafter, be equal to leave salary as admissible on earned leave , and
 - (c) for the remaining period of such leave, be equal to leave salary admissible on half pay leave ; or at the Government employee's option for a period not exceeding the period of earned leave other-wise admissible to him under rule 8.116 or 8.117, be equal to leave salary admissible on earned leave.
- (8) (i) In the case of a person to whom Workmen's Compensation Act, 1923, applies, the amount of leave salary payable under this rule shall be reduced by the amount of compensation payable under section 4(1)(d) of the said Act.
- (ii) In the case of a person to whom the Employee's State Insurance Act, 1948 (34 of 1948), applies, the amount of leave salary payable under this rule shall be reduced by the amount of benefit admissible under the said Act for corresponding period.
- (9) (a) The provisions of this rule apply to,—
 - (i) a civil Government employee disabled in consequence of service with a military force, if he is discharged as unfit for further military service, but is not completely and permanently incapacitated for further civil service ; and
 - (ii) a civil employee not so discharged who suffers a disability which is certified by a medical board to be directly attributable to his service with a military force.
- (b) in either case, any period of leave granted, to such a person under military rules in respect of that disability shall be reckoned as leave granted under this rule for the purpose of calculating the period admissible.

Note.—The intention of this clause is not that special disability leave should be given to cover any portion of a Government employee's military service, but that it should be admissible only after the Government employee's discharge as unfit for further military service. ” ;

(93) for rule 8.125 the following rule shall be substituted, namely :—

“8.125. The competent authority may extend the application of the provisions of rule 8.124 to a Government employee who is disabled by injury accidentally incurred in or in consequence of the due performance of his official duties or in consequence of his official position or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to the civil post which he holds. The grant of this concession is subject to the further conditions —

- (i) That the disability, if due to disease, must be certified by the Authorised Medical Attendant of the Government employee concerned to be directly due to the performance of the particular duty ;

(ii) that if the Government employee has contracted such disability during service otherwise than with a military force, it must be, in the opinion of the competent authority, exceptional in character ; and

(iii) that the period of absence recommended by the Authorised Medical Attendant of the Government employee concerned may be covered in part by leave under this rule and in part by other kind of leave and that the amount of special disability leave granted on leave salary equal to that admissible on earned leave should be up to—

(i) 120 days in the case of a Government employee in Class I, II or III service ; and

(ii) 60, 90 or 120 days as the case may be in the case of a Government employee of Class IV.

(94) for rule 8.127, the following rule shall be substituted, namely :—

8.127 (1) The competent authority under rule 8.23 may grant maternity leave to a female Government employee for a period not exceeding three months from the date of its commencement or to the end of six weeks from the date of confinement which ever is earlier. Leave salary equal to the pay drawn immediately before proceeding on leave shall be paid during maternity leave and it shall not be debited against the leave account ”.

Note 1.—The term “Pay” includes officiating pay provided the authority sanctioning the leave certificates that the Government employee would have continued to officiate had she not proceeded on leave.

Note 2.—Maternity leave may also be granted in case of miscarriages including abortion, subject to the condition that the leave does not exceed six week and the application for leave is supported by a certificate from a Registered Medical Practitioner. The Certificate of a Chief Medical Officer or Deputy Chief Medical Officer (Medical) or Gazetted Medical Officer may, however, be called for in case of doubt.

Note 3.—In the case of a person to whom the provisions of employee's State Insurance Act, 1948, apply, leave salary payable shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

Note. 4.—Maternity leave shall not be admissible to a female Government employees having more than two living children. In such cases leave of the kind due or extra ordinary leave will be allowed.

(2) Any other kind of leave may be permitted to be prefixed to maternity leave without insisting on a medical certificate. But any leave applied for in continuation of the maternity leave may be granted only if the request is supported by a Medical Certificate.

Note 1.—Earned leave to the extent admissible under rule 8.116(ii) may be granted in continuation of maternity leave, if the request for the grant of leave is supported by a medical certificate.

Note 2.—The female gazetted employees applying for grant of maternity leave should, like all gazetted Government employees applying for leave on medical certificate, produce the required certificate from a medical committee or board in accordance with rule 8.9 and 8.10, unless this requirement is relaxed under rule 8.12 by the authority competent to grant leave.

Note 3.—Regular leave in continuation of maternity leave may also be granted in case of illness of a newly born baby, subject to the female Government employee producing a medical certificate from the authorised Medical Attendant to the effect that the condition of the ailing baby warrants mother's personal attention and her presence by the baby's side is absolutely necessary.

(95) for rule 8.128, the following rule shall be substituted namely :—

‘8.128’. (1) The competent authority under rule 8.23 of these rules may grant hospital leave to,—

(a) Class IV Government employees ; and

(b) such class III Government employees whose duties involve handling of dangerous machinery, explosive materials, poisonous drugs, etc., or the performance of hazardous tasks, while under medical treatment for illness or injury if such illness or injury is directly due to risks incurred in the course of their official duties.

Note 1.—In the case of persons to whom the Workmen's Compensation Act, 1923, applies the amount of leave salary shall be reduced by the amount of compensation payable under section 4(i)(d) of the said Act.

Note 2.—Industrial and work-charged staff will also be entitled to hospital leave in the same manner as other State Government employees.

Note 3.—Hospital leave should be granted on the production by the Government employee concerned of a medical certificate from a superior officer not below the rank of Gazetted Officer to the effect that the illness or injury was directly due to risks incurred in the course of official duties and also that the leave recommended is necessary to effect a cure. The period of the leave shall be such as may be certified by the Authorised Medical Attendant to be necessary and shall not exceed the maximum laid down in sub-rule (3) below.

(2) Hospital leave may be granted on leave salary equal to full pay or half pay as the authority granting it may consider necessary.

(3) Hospital leave shall in no case exceed one hundred and twenty days on full pay in any period of three years, whether such leave is taken at one time or by instalments. Half the amount of hospital leave on half pay counts for the purpose of this limit as leave on full pay.

Note 1.—The words 'full pay' in this rule mean the pay on the last day of duty prior to commencement of leave.

Note 2.—In the case of a person to whom the provisions of Employees' State Insurance Act, 1948 apply, leave salary payable under these rules shall be reduced by the amount of benefit admissible under the said Act for the corresponding period.

(4) Hospital leave shall not be debited against the leave account and may be combined with any other kind of leave which may be admissible; provided the total period of leave, after such combination, shall not exceed twenty eight months."

(96) in rule 8.129-A,—

in the first proviso to clause (c), for the word 'which' the word 'such' shall be substituted,

(97) for rule 8.130 the following rule shall be substituted, namely :—

"8.130. Unless the competent authority in any case otherwise directs, the following provisions apply to Government employees placed on deputation out of India, under conditions declared to be quasi-European, if the period of the deputation exceeds one year :—

(a) The period of deputation shall not count as duty for the purpose of this chapter.

(b) The amount of leave which can be earned during the period of deputation shall be determined by the competent authority. Such leave can only be taken during the period of deputation and will not be credited or debited in the Government employee's leave account. Leave salary during such leave shall be equal to the rate of deputation pay :

Provided that where a deputation originally sanctioned for one year or less is subsequently extended so that the total period exceeds one year, these provisions shall apply only in respect of the period in excess of one year."

(98) in rule 8.131,—

for sub-rule (2) the following sub-rule shall be substituted, namely :—

(2) if there be no such prescription in the contract; or if appointed otherwise, to such leave as would be admissible to him under the leave rules which would be applicable to him if he held his post substantively otherwise than on probation. If for any reason it is proposed to terminate the services of a probationer, any leave which may be granted to him should not extend beyond the date on which the probationary period as already sanctioned or extended expires, or any earlier date on which his services are terminated by the order of an authority competent to appoint him ;

(99) in rule 8.136 for the word "contingencies" the words "the Budget head wages" shall be substituted ;

(100) in rule 8.137, in note 2 for the word "this sub-rule" the words "clause (iii)" shall be substituted ;

(101) in rule 8.137-A after note 3 the following note shall be inserted, namely :—

"Note 4.—In the case of a person to whom the provisions of Employees' State Insurance Act, 1948 apply, leave salary payable under these rules shall be reduced by the amount of benefit admissible under the said Act for the corresponding period."

(102) in rule 8.137-B the following note shall be inserted, namely :—

“Note.—Also see note 3 below rule 8.127 (2).” ;

(103) for rule 8.138 the following rule shall be substituted, namely :—

“8.138. The provisions of rule 8.128 are applicable to head constables and constables of the Haryana Armed Police Force and regular Police Force Overseers and the Sub-Overseers in the Haryana Mental Hospital and the establishment of the Government Press, Haryana, whose leave is regulated by the rules in this part.” ;

(104) rules 8.141 and 8.144 shall be omitted ;

(105) for rule 8.147 the following rule shall be substituted, namely :—

“8.147(1)(a) Leave on full pay may be granted to piece-workers according to their service as shown below :—

| Length of Service | Leave admissible |
|---------------------------------|----------------------------------|
| Less than 10 years | .. 15 days in each calendar year |
| 10 years but less than 20 years | .. 20 days in each calendar year |
| 20 years and above | .. 30 days in each calendar year |

(b) The leave admissible under sub-clause (a) will be non-cumulative, i.e., any leave not taken during the year will lapse without any monetary compensation. In the case of a permanent industrial employee transferred from the salaried to the piece establishment the account of his leave on full pay shall commence with a credit equal to any balance of leave on full pay standing to his credit, on the date of his transfer, under clause (1) of rule 8.148. The leave so credited may be taken by him at any time during his service in the piece establishment either alone or in combination with the leave admissible under sub-clause (a) and in the latter case the maximum amount of combined leave that may be granted at any one time shall not exceed 120 days.

(c) Gazetted holidays actually enjoyed may, at the option of the piece-worker be counted against any leave admissible to him under sub-clause (a) or (b) and if so counted, will be paid for.

(d) The grant of leave under these rules cannot be claimed as of right and can be refused by the authority competent to grant leave on administrative grounds. It may also be withheld from piece-workers who have been irregular in attendance.

(2) Leave on medical certificate on half pay will be earned at the rate of 20 days for each completed year of service. This leave will be cumulative and will be granted only when no leave on full pay is admissible. In the case of a permanent industrial employee transferred from the salaried to the piece establishment no account shall be taken of the leave on medical certificate already enjoyed under clause (4) of rule 8.148 prior to his transfer to the piece establishment.

(3) Leave without pay may be granted when no other leave is admissible.

(4) No continuous period of leave with pay shall exceed one year, any extension over one year shall be leave without pay.

(5) Injury leave at half pay rates may be granted to a piece-worker who is injured in circumstances which would have given rise to a claim for compensation under the Workmen's Compensation Act, 1923 (VIII of 1923), if he had been a workman as defined therein, whether or not proviso (a) to sub-section (1) of section 3 of that Act is applicable. Such leave shall not be deemed to be leave on medical certificate for the purpose of clause (2) and (4). It shall be granted from the commencement of disablement for so long as is necessary subject to a limit of two years for any one disability and a limit of five years during

a piece worker's total service, including service, if any, on the salaried establishment. Leave granted under clause (5) of rule 8.148 shall be taken into account in applying these limits. The salary payable in respect of a period of leave granted under this clause shall, in the case of a piece-worker to whom the provisions of the Workmen's Compensation Act, 1923 (VIII of 1923) apply, be reduced by the amount of compensation paid under clause (d) of sub-section(1) of section (4) of that Act.

(6) Pay on full pay means remuneration at class rates at the time of taking leave.

Note.—For the purpose of determining the classification of service of a piece worker who may be in superior service in one month and in class IV service in another month on account of fluctuations in his earning, the monthly emoluments shall be taken as equivalent to two hundred times his hourly class rate.” ;

(106) in rule 8.148,—

(a) in clause (b) the proviso shall be omitted and deemed to have been omitted w.e.f. 13th June, 1975.

(b) in sub-rule (5), for the figures ‘8.111’ the figures ‘8.147’ shall be substituted ;

(107) in rule 8.149, for clause (d), the following clause shall be substituted, namely :—

“(d) The provisions of rules 8.119(c) and 8.128 apply *mutatis mutandis* to the temporary y/o officiating industrial employees.” ;

(108) in rule 9.1,—

(a) in clause (b) for sub-clause (i), the following sub-clause shall be substituted, namely :—

“(i) earned leave not exceeding 180 days.” ;

(b) clause (c) shall be omitted ;

(c) in note 2 for the words “leave on average pay of not more than four months duration” , the words “earned leave not exceeding one hundred eighty days duration shall be substituted ;

(109) in rule 9.3 for clause (b) the following clause shall be substituted, namely :—

“(b) if vacation is combined with leave, joining time shall be regulated under rule 9.1(b)(i), if the total period of earned leave and vacation combined is of not more than 180 days duration.” ;

(110) in rule 9.5 the words and sign “neither of which is in a remote locality not easy of access” shall be omitted ;

(111) in rule 9.15,—

(a) in clause (b), in sub-clause (i) the words “leave on average pay of” shall be omitted ;

(b) (i) in sub-clause (ii) the words “leave on average pay or” occurring twice shall be omitted ;

(ii) clause (c) shall be omitted ;

(112) notes below rule 10.1 shall be omitted ;

(113) note 2 below rule 10.8 shall be omitted ;

(114) in rule 10.9 in instruction below note 3, for the word and figure “note 3” the word and figure “note 2” shall be substituted ;

(115) in rule 10.10 for clause (c) the following clause shall be substituted, namely :—

“(c) The rates of contribution for leave salary are designed to secure to the Government employee leave salary on the scale and under the conditions applicable to him. In calculating the rate of leave salary admissible, the pay drawn in foreign service, less, in the case of Government employees paying their own contributions, such part of pay as may be paid as contributions, shall count for the purpose of rule 8.122 as pay on the last day of duty.” ;

(116) (a) in rule 10.20,—for note 2 the following note shall be substituted, namely :—

“Note 2.—The following procedure shall be adopted in applying the rates of contribution prescribed under rule 10.10(a) to cases falling under this rule :—

(i) *Pension contribution*.—In the case of a Government employee belonging to one of the State Services, Class I, or holding a special post of corresponding rank, the amount to be recovered as contribution should be the average of the rates prescribed in column 2 and 3 of the table in Annexure ‘C’ to this Chapter.

In the case of a Government employee of a State Service Class II, or holding a special post of corresponding rank/State Service Class III/State Service Class IV, a fraction of the total maximum monthly pay of all the sanctioned posts equal to the average of the percentages laid down in columns 4, 5 or 6, as the case may be, of the table in Annexure ‘C’ to this Chapter.

(ii) *Contribution for leave-salary*.—The rate to be applied in calculating the amount to be levied as contribution in respect of a member of one of the State Services Class-I, or holding a special post of corresponding rank, should be 15/5/6% whereas the actual percentage prescribed for other Government employees should be levied on the total sanctioned cost or in the case of time scales of pay on the average cost of all the posts concerned in all other cases. ” ;

(b) note 3 shall be omitted ;

(117) in Annexure B to Chapter X,—

(a) paragraph (1) shall be omitted ;

(b) for paragraph (2), the following paragraph shall be substituted, namely :—

“(2) The rate of monthly contribution for leave salary payable during active foreign service in respect of Government employees will be 11% of pay drawn in foreign service. ” ;

(c) for note 1 under paragraph (2) the following note shall be substituted, namely :—

“Note 1.—In the case of contract officers governed by the leave terms in Part I of Appendix 16 of the Punjab Civil Services Rules, Volume I, Part II, and who are transferred to foreign service, the leave salary contribution should be recovered at the above rates.”

(d) Note 2 shall be omitted.

(e) in paragraph (3),—

(i) for clause (ii), the following clause shall be substituted, namely :—

“(ii) Length of service means the entire service running from the date from which service for pension commences or is likely to commence. ” ;

(ii) clause (iii) shall be omitted ;

(iii) in clause (vi) for the word and “figure rule 4.2” the words and figures “rules 4.2 and 4.2-A shall be substituted ;

(iv) clause (vii) shall be omitted ;

(v) note at the end shall be omitted ;

(118) in rule 11.3, note I shall be omitted ;

(119) in rule 12.2 in clause (b), for the words ‘three years’ the words ‘one year’ shall be substituted ;

(120) in rule 14.1, 14.5, 14.6 and 14.7 for the word ‘Provincial’ wherever it occurs the word ‘State’ shall be substituted ;

(121) for rule 14.8, the following rule shall be substituted, namely :—

“14.8. competent authority may make rules to regulate the conduct of the members of the State Services and holders of Special Posts.”

B. S. OJHA,
Comm. and Secy.